

IN THE CHANCERY COURT FOR THE 19TH JUDICIAL DISTRICT FOR
MONTGOMERY COUNTY, TENNESSEE,
AT CLARKSVILLE

MONTGOMERY COUNTY, TENNESSEE,)	
)	
Plaintiff,)	
vs.)	Case No.: <u>MCCHCV DQ-22-1</u>
)	
DELINQUENT TAXPAYERS,)	
)	
Defendants.)	

CITY OF CLARKSVILLE, a municipal)	
Corporation, through AUSTIN PEAY,)	
the duly constituted Delinquent Tax Attorney)	
for said Municipality,)	
)	
Plaintiff,)	
vs.)	Case No.: <u>MCCHCV DQ-22-2</u>
)	
Delinquent Taxpayers as shown on the Real)	
Property Delinquent Tax Records of CITY)	
OF CLARKSVILLE, a municipal corporation)	
)	
Defendants.)	

RULES OF TAX SALE

1. The delinquent tax sale will be conducted exclusively online. No in person bids will be received by the Clerk and Master for any parcels.

2. A person must be “qualified” as a bidder to participate in the sale. To be qualified as a bidder you must complete registration with govease.com and receive approval to bid. A link to this registration will also be posted at mcgtn.org/chancery. Registration for the sale will be open at least two (2) weeks before the sale, and bidders are encouraged to register early to ensure qualification to participate. Specific requirements for registration are:

- a. Be eighteen (18) years of age or older and otherwise competent to bind yourself and/or your agent to a contract. **This is a legally binding contract.**
- b. Provide name and residence information through govease.com registration.

- c. Provide a letter of credit or bank statement from a US financial institution dated within thirty (30) days of registration. The letter or statement shall state a specific balance on the credit limit or the account and state the name of the bidder as the credit holder or account owner.
 - d. A scanned copy of a government issued photo identification must be uploaded to the govease.com registration for the bidder. For bidders who are acting through a corporation, limited liability company, limited partnership, or limited liability partnership, a corporate resolution, consent, or other authorization from the business entity to act on its behalf must be uploaded also.
2. **A purchased parcel will be titled as designated on the bidder's registration.**
 3. The sale will commence at precisely 10:01 a.m. CST on **21st day of September, 2023**. Based upon public health considerations at the time of sale, the sale may be postponed to a later date in accordance with T.C.A. 67-5-2502(f). Any notice of the postponement of the sale will be posted online on the date of sale at **mcgtn.org/chancery and govease.com**.
 4. Any announcements posted at the commencement of the sale take precedence and are superior to any preceding notice concerning both the property and delinquent tax due and procedure for conducting the tax sale as has been previously announced. A final list of parcels to be sold will be posted by 8:00 a.m. CST on the day of sale.
 5. The sale will be conducted by individual parcel with a two (2) minute bidding period. A minimum opening bid will be posted which is the amount necessary to pay the taxes, interest, penalties and fees for 2020 and prior year(s). The minimum opening bid does not include amounts owed for 2021 and 2022.
 6. **All properties sold at the tax sale are sold as-is, without any warranties, including but not limited to: title, ownership, encumbrances, boundaries, value, and current taxes, and any tax years not noticed on the land sale notice. This means you may be ultimately responsible for delinquent taxes owing for more current years.**
 7. Winning bidders must pay the amount of their bid and Tennessee State Recordation Tax on the amount of the final bid, which is calculated at \$0.37 per \$100 (sale price multiplied by 0.0037).
 8. **Bidders who fail to pay the bid amount and transfer tax by 4:30 p.m. on September 25, 2023 may be subject to legal action by the court for breach of contract.**
 9. Winning bidders must submit payment to the Clerk and Master's Office within three (3) business days after the sale. **This is a cash sale. *Neither the City nor the County have a finance program.*** The highest bidder may pay the bid amount using cash, a money order, a bank cashier's check or guaranteed funds. If payment is made through mail or delivery, do not send cash. Please make the cashier's check payable to the **Clerk & Master**. Payments

are accepted in person at the Clerk and Master's Office on the first floor of the Montgomery County Courts Complex (Monday through Friday from 8:00 a.m. to 4:30 p.m.) or by delivery. The delivery address is:

Montgomery County Clerk and Master
Attn: Heather Moore
2 Millennium Plaza, Suite 101
Clarksville, TN 37040

10. The decision and selection of property listed to sell is at the sole discretion of the Clerk & Master as he may determine to be in the Plaintiffs' best interest and as equity would require. Properties will be pulled from the sale list if the taxpayer pays the tax liability, a bankruptcy proceeding is filed by an owner of the property, or if other circumstances warrant deferral.

11. All property sales are conducted under authority of T.C.A. 67-5-2501 *et seq.*

12. If any parcels do not sell at the auction, the parcel may be deeded to Montgomery County or the City of Clarksville. Properties deeded to Montgomery County or the City of Clarksville are administered in accordance with Tennessee law regarding surplus property and are subject to different procedures. The Clerk and Master does not administer surplus property.

13. Any property purchased is subject to redemption. If a property is redeemed, the redeeming party will tender the Redemption to the Clerk & Master of Montgomery County within one (1) year from the date of the order of confirmation of sale, as evidenced by the records in the office of the Clerk of the Court responsible for the sale. The redeeming party shall also file a motion with the Court as required by T.C.A. 67-5-2701(b). The purchaser will then be notified by the Clerk of the Court of the tender of redemption. The purchaser shall then have thirty (30) days from date of tender to file a response motion requesting additional monies to be paid to compensate the purchaser for any other lawful charges or monies expended to preserve the value of the property or otherwise contest the redemption. The purchaser earns interest on the money paid as provided by law.

14. The Deputy Clerk on behalf of the Clerk & Master of the Court is ordered to recover as a Court costs the recording fees necessary to record in the Montgomery County Register of Deeds Office the Decree of Redemption, if appropriate. This cost is payable by the party tendering the redemption and must be paid along with payments of other Chancery Court awarded costs prior to the redemption being complete.

15. The above divestment of rights does not apply to the following (if any encumber the Real Estate): public or private roadway, public or private easement, utility easement, government (for example, US, TDOT, TVA, City or County) easement, or similar lien, easement or right; the Real Estate remains subject to any such rights.

The Court finds these Rules to be in the best interest of the parties to the case.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED these Rules are approved by this Court of the tax sale to be conducted on the 21st day of September, 2023.

This, the 7th day of August, 2023.

 /s/Ben Dean
CHANCELLOR BEN DEAN

APPROVED FOR ENTRY:

RUNYON & RUNYON

 /s/ Raymond F. Runyon
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